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Attorney Docket No.: 5676.210-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Olsen et al.

Confirmation No: 3283

Serial No.: 10/730,454

Group Art Unit: 1639

Filed: December 8, 2003

Examiner: Liu, Sue Xu

For: Low Allergenic Protein Variants

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir,

This paper is filed in response to the Office Action mailed March 10, 2006 that made restriction and election of species requirements. Applicants were requested to elect one of 16 designated groups and one of the following species:

- A. a single specific range or reduced immunogenicity
- B. a single specific species of host cell
- C. a single specific species of protein

In response to these requirements, Applicants hereby elect with traverse the invention of Group 14, and the following species:

- A. the immunogenicity of the protein variant is below 75% of the immunogenicity of the parent protein
- B. the host cell is a bacterium
- C. the protein is an enzyme

Applicants hereby reserve the right to file continuing applications directed to the nonelected subject matter.

The basis for traverse is that there would not be a serious burden on the examiner if restriction were not required. The inventions are related. The invention is directed to a protein having reduced immunogenicity as compared with its wild-type parent protein by differing from the

amino acid the parent protein with respect to at least one epitope area of the parent protein. The US patent Office concedes they are all one searchable invention as the restriction requirement indicates that claim 1 links all of the inventions. A patent applicant is entitled to have dependent claims, which further limit the invention. In this case, claim 27 identifies specific epitopes within the genus recited by claim 22. Claim 28 is a composition comprising the protein variant of claim 22. Claim 29-33 is a DNA construct encoding the protein variant of claim 22. Claim 35 is directed to a method of making the protein variant of claim 22.

The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this response or application.

Respectfully submitted,

Date: May 5, 2006



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